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FISCAL IMPACT STATEMENT

LS 6971

BILL NUMBER: HB 1491

NOTE PREPARED: Jan 7, 2013

BILL AMENDED:

SUBJECT: Property tax appeal deadlines.

FIRST AUTHOR: Rep. Smaltz

BILL STATUS: As Introduced

FIRST SPONSOR:

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill increases the time that a property taxpayer has to appeal an assessment or a county or township official's action with respect to certain select deductions to the county property tax assessment board of appeals (PTABOA) from 45 days to 90 days from the date the taxpayer receives notice of the assessment or other relevant action. It reduces the time after a taxpayer gives notice of an appeal that a county PTABOA has: (1) to schedule a hearing on the taxpayer's appeal (reduced from 120 days to 60 days); (2) to hold a hearing on the taxpayer's appeal (reduced from 180 days to 90 days); and (3) to issue a determination on the taxpayer's appeal (reduced from 120 days to 60 days).

Effective Date: January 1, 2014.

Explanation of State Expenditures: See *Explanation of Local Expenditures*.

Explanation of State Revenues:

Explanation of Local Expenditures: This impact of this bill would depend on the current workload of the PTABOAs. Under this bill, the time allotted the PTABOA to schedule a hearing after receiving an appeal petition, and to hold the hearing after scheduling one has been reduced by 50 percent. This may cause some PTABOAs not to process all of the appeals on their dockets on time.

This bill may also cause conflicts with the current processing schedule. For example, the PTABOA currently has 60 days to hold a hearing after one has been scheduled. It has to give the taxpayer at least 30 days notice of the date of the hearing. Under the bill, the board has only 30 days to hold a hearing after one has been scheduled. As a result, it would be very difficult to give the taxpayer 30 days notice unless the taxpayer is

present when the hearing is scheduled.

The bill may also indirectly impact the number of appeals that are forwarded to the Indiana Board of Tax Review. Under current law, if the PTABOA does not hold a hearing or issue a ruling on time, the taxpayer may initiate a proceeding for review before the Indiana board. As a result, the number of appeals before the Indiana board may increase.

Explanation of Local Revenues:

State Agencies Affected: Indiana Board of Tax Review

Local Agencies Affected: PTABOAs.

Information Sources:

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